



16569 U.S. PTO

PATENT  
Customer No. 22,852  
Attorney Docket No. 08303.0042-00

CERTIFICATE OF EXPRESS MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service's "Express Mail Post Office to Addressee" service under 37 CFR § 1.10, in an envelope addressed to: MAIL STOP REISSUE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on February 25, 2004. Express Mail Label No.: EV 351293862 US.

Signed:

*Linda Phillips*  
Linda Phillips

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Reissue Application  
of U.S. Patent No. 5,912,319

Inventor: Jonathan D. ZOOK et al.

Original Patent No.: 5,912,319

Original Patent Issue Date: June 15, 1999

For: COMPOSITIONS AND METHOD FOR  
PRODUCING FUEL RESISTANT  
LIQUID POLYTHIOETHER  
POLYMERS WITH GOOD LOW  
TEMPERATURE FLEXIBILITY

Prior Group Art Unit: 1711

Prior Examiner: Duc Truong

17513 U.S. PTO  
10/788965



**ATTN: MAIL STOP REISSUE**

Commissioner for Patents and Trademarks  
P.O. Box 1450  
Alexandria, VA 22313-1450

**REISSUE PATENT APPLICATION TRANSMITTAL**

**APPLICATION FOR REISSUE OF:** ☒ Utility Patent ☐ Design Patent

1. ☒ Fee Transmittal Form
2. ☒ Specification and Claims (amended, if appropriate)
3. ☐ Drawing(s) (proposed amendments, if appropriate)
4. ☒ Reissue Oath/Declaration (original copy)  
(37 C.F.R. § 1.175)

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5. Original U.S. Patent

☒ Offer to Surrender Original Patent (37 C.F.R. § 1.178)

or

☐ Ribboned Original Patent

☐ Affidavit/Declaration of Loss

6. Original U.S. Patent currently assigned?

☒ Yes ☐ No

(If Yes, check applicable box(es))

☒ Written Consent of all Assignees

☒ 37 C.F.R. § 3.73(b) Statement

☒ Power of Attorney

7. ☐ Foreign Priority Claim (35 U.S.C. 119)

8. ☒ Information Disclosure Statement (IDS)/PTO 1449

☐ Copies of IDS Citations

9. ☐ English Translation of Reissue Oath/Declaration

10. ☐ Small Entity status is appropriate and applicable to this application.

11. ☒ Preliminary Amendment with Appendix

12. ☒ Also enclosed is: Request Under 37 C.F.R. 1.607 For an Interference with U.S. Patent 6,525,168 B2 and U.S. Patent Application No. 10/368,135.

If there are any fees due under 37 C.F.R. §§ 1.16 or 1.17 which are not enclosed herewith, including any fees required for an extension of time under 37 C.F.R. § 1.136, please charge such fees to Deposit Account No. 06-0916.

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Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: February 25, 2004

By: 

William R. Lambert

Reg. No. 44,857

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Reissue Application )  
of U.S. Patent No. 5,912,319: )  
Inventor: Jonathan D. ZOOK et al. ) Prior Group Art Unit: 1711  
Original Patent No.: 5,912,319 ) Prior Examiner: Duc Truong  
Original Patent Issue Date: June 15, 1999 )  
For: COMPOSITIONS AND METHOD FOR )  
PRODUCING FUEL RESISTANT )  
LIQUID POLYTHIOETHER POLYMERS )  
WITH GOOD LOW TEMPERATURE )  
FLEXIBILITY )

REISSUE APPLICATION FEE TRANSMITTAL FORM

ATTN: BOX REISSUE  
Commissioner for Patents  
Washington, D.C. 20231

Claims as Filed - Part 1

Claims as Filed - Part 1								
Claims in Patent	For	Number Filed In Reissue Application	(3) Number Extra	Small Entity		Other Than a Small Entity		
				Rate	Fee	Rate		Fee
(A) 23	Total Claims (37 CFR 1.16(j))	(B) 23	3	x\$0=		or	x\$18=	\$ 54.00
(C) 1	Independent Claims (37 CFR 1.16(i))	(D) 1	0	x\$0=		or	x\$86=	\$ 0.00
Basic Fee (37 CFR 1.16(h))					\$	OR		\$ 770.00
Total Filing Fee					\$			\$1,126.00

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Claims as Amended - Part 2								
	(1) Claims Remaining After Amendment		(2) Highest Number Previously Paid For	(3) Extra Claims Present	Small Entity		Other Than a Small Entity	
					Rate	Fee	Rate	Fee
Total Claims (37 CFR 1.16(j))	35	MINUS	23	= 12	x\$0 =		or	x\$18 = \$ 216.00
Independent Claims (37 CFR 1.16(i))	4	MINUS	1	= 1	x\$0 =			x\$86 = \$ 86.00
Total Additional Fee							OR	\$ 302.00

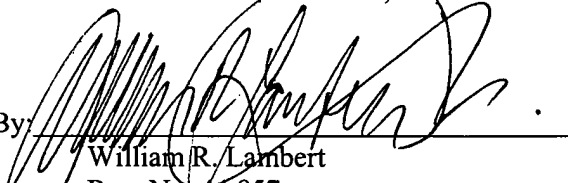
Please charge **\$1,126.00** to Deposit Account No. 06-0916, for the following fees:

- a) \$770.00, filing fee; and
- b) \$356.00, additional claims fee.

If there are any fees due under 37 C.F.R. §§ 1.16 or 1.17 which are not enclosed herewith, including any fees required for an extension of time under 37 C.F.R. § 1.136, please charge such fees to Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

By:   
William R. Lambert  
Reg. Not 44,857

Dated: February 25, 2004

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## INTERFERENCE INITIAL MEMORANDUM

Count # \_\_\_\_\_

To the Board of Patent Appeals and Interferences: An interference is proposed involving the following \_\_\_\_\_ parties

PARTY Jonathan D. Zook et al.	APPLICATION NO. Reissue	FILING DATE February 25, 2004	PATENT NO., IF ANY 5,912,319	ISSUE DATE, IF ANY June 15, 1999
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If the involved case is a patent, have its maintenance fees been paid? Yes XX No \_\_\_\_\_ Not due yet \_\_\_\_\_

Proposed priority benefit (list all intervening applications necessary for continuity):

COUNTRY	APPLICATION NO.	FILING DATE	PATENT NO., IF ANY	ISSUE DATE, IF ANY
U.S.	09/756,573	January 8, 2001	6,509,418 B1	January 21, 2003
U.S.	09/318,500	May 25, 1999	6,232,401	May 15, 2001
U.S.	08/928,972	September 12, 1997	6,172,179	January 9, 2001
U.S.	08/802,130	February 19, 1997	5,912,319	June 15, 1999

The claim(s) of this party corresponding to this count:

PATENTED OR PATENTABLE PENDING CLAIMS 24-35	UNPATENTABLE PENDING CLAIMS none
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The claim(s) of this party NOT corresponding to this count:

PATENTED OR PATENTABLE PENDING CLAIMS 1-23	UNPATENTABLE PENDING CLAIMS none
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PARTY Jonathan D. Zook, et al. Jonathan D. Zook, et al.	APPLICATION NO. 09/802,427 10/368,135	FILING DATE March 9, 2001 July 20, 2003	PATENT NO., IF ANY US 6,525,168 B2	ISSUE DATE, IF ANY February 25, 2003
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If the involved case is a patent, have its maintenance fees been paid? Yes \_\_\_\_\_ No \_\_\_\_\_ Not due yet XX

Proposed priority benefit (list all intervening applications necessary for continuity):

COUNTRY	APPLICATION NO.	FILING DATE	PATENT NO., IF ANY	ISSUE DATE, IF ANY

The claim(s) of this party corresponding to this count:

PATENTED OR PATENTABLE PENDING CLAIMS 1-6, 8, 10-13 (US 6,525,168 B2); 9 and 10 (USSN 10/368,135)	UNPATENTABLE PENDING CLAIMS none
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The claim(s) of this party NOT corresponding to this count:

PATENTED OR PATENTABLE PENDING CLAIMS 7, 9 (US 6,525,168 B2); 1-8, 11-12 (USSN 10/368,135)	UNPATENTABLE PENDING CLAIMS none
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(Check off each step, if applicable) **INSTRUCTIONS**

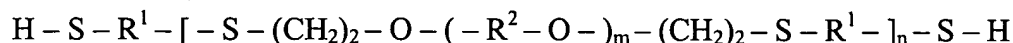
- 1. Obtain all files listed above.
- 2. Confirm that the proposed involved claims are still active and all corrections and entered amendments have been considered. The patents must not be expired for, among other things, failure to pay a maintenance fee (Check PALM screen 2970).
- 3. If one of the involved files is a published application or a patent, check for compliance with 35 U.S.C. 135(b).
- 4. Obtain a certified copy of any foreign benefit documents where necessary (37 CFR 1.55(a)).
- 5. Discuss the proposed interference with an Interference Practice Specialist in your Technology Center.

DATE	PRIMARY EXAMINER (signature)	ART UNIT	TELEPHONE NO.
DATE	INTERFERENCE PRACTICE SPECIALIST or TECHNOLOGY CENTER DIRECTOR (signature)		TELEPHONE NO.

**ATTACHMENT TO INTERFERENCE-INITIAL MEMORANDUM**

**PROPOSED COUNT**

A polythioether comprising:



wherein

$\text{R}^1$  is selected from the group consisting of  $\text{C}_{2-6}$  n-alkylene, and a  $-[( - \text{CH}_2 )_p - \text{X}]_q - ( - \text{CH}_2 )_r -$  group;

$\text{R}^2$  is selected from the group consisting of  $\text{C}_{2-6}$  n-alkylene, and  $\text{C}_{6-8}$  cycloalkylene;

X is selected from the group consisting of O and S;

m is an integer between 0 and 10;

p is an integer between 2 and 6;

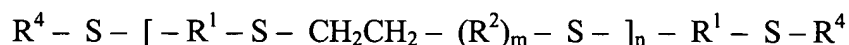
q is an integer between 1 and 5;

r is an integer between 2 and 10; and

n is an integer between 1 and 60 selected so that the molecular weight of the polythioether is between 1,000 and 10,000 Daltons.

**- OR -**

A polythioether comprising:



wherein

$\text{R}^1$  is a  $\text{C}_{1-10}$  alkyl,  $-(\text{R}^3\text{Q})_p\text{R}^3-$  or  $\text{C}_6\text{-C}_{20}$  aryl where Q is O or S,

each  $\text{R}^3$  is independently  $\text{C}_{1-6}$  alkyl, and

p is an integer between 0 and 6;

$\text{R}^2$  is  $\text{C}_{1-6}$  alkyloxy or  $\text{C}_{5-12}$  cycloalkyloxy,

$\text{R}^4$  is H,  $\text{C}_{1-6}$  alkyl,  $\text{C}_{1-6}$  alkyl alcohol and  $\text{C}_{0-6}$  alkyl substituted with  $-[ - \text{CH}_2\text{CH}_2(\text{R}^2)_m - ] - \text{X}$ , where X is a halogen,

m is an integer between 1 and 4, and

n is an integer selected to yield a molecular weight for said polythioether of between 1000 and 10,000 Daltons.